REMARKS

Claims 1-16 were presented for examination in the present application and remain pending upon entry of the instant amendment, which is respectfully requested.

Applicants note with appreciation the indication of allowable subject matter in claims 5, 9, and 16. Accordingly, these claims have been amended into independent format and, thus, are believed to be in condition for issuance. These claim amendments merely make explicit what had been implicit in the claims and, thus, should not affect the scope of equivalents to which the claims are entitled.

Claims 1-4 and 7 were rejected under 35 U.S.C. §102(b) over U.S. Patent No. 4,881,001 to Patel et al. (Patel).

Applicants respectfully traverse this rejection.

Independent claim 1 requires retaining projections for "radially securing and axially retaining the pole ring in the D.C. motor housing (emphasis added)".

Patel is directed to a stator laminate retainer assembly having a housing 30 with an interior slot 48 for receiving flange 16 of the stator assembly. The sides 48a (FIG. 8) of slot 48 are precisely machined to provide a minimal gap with the machined sides of flange 16. The interengagement of flange 16 within slot 48 prevents relative rotation between the stator assembly and the housing. Once the stator assembly is fully inserted into position as shown in FIG. 9, a set screw 50, a pin or other readily positionable axial retaining means is located for abutment against the outside face of the stator assembly to prevent axial movement of the stator assembly in the opposite direction, i.e. to the right as viewed in FIG. 9. See col. 4, lines 29-44.

Thus, Patel requires a complex system of a flange and a precisely machined slot for rotation prevention and a separate set screw for axial retention. In contrast, claim 1

recites a simple combination retaining projections that both radially secure and axially retain, which is simply not disclosed or suggested by the complex system of Patel.

Further, claim 1 requires the retaining projections to include "a retaining surface pointing oppositely to a mounting direction for mounting the pole ring in the D.C. motor housing (emphasis added)". It is respectfully submitted that Patel does not disclose or suggest the claimed retaining protection. Rather, Patel uses a set screw for axial retention, where the set screw is perpendicular to the mounting direction as best seen in Figures 7 and 9 of Patel.

Thus, Patel requires a set screw that is perpendicular to the mounting direction, while claim 1 recites retaining projections that point opposite to the mounting direction.

Accordingly, it is respectfully submitted that Patel does not disclose or suggest the combination recited by claim 1. Claim 1 is therefore believed to be in condition for allowance. Claims 2-4 and 6-8 are also believed to be in condition for allowance for at least the reason that they depend from the aforementioned claim 1. Accordingly, reconsideration and withdrawal of the rejection to claims 1-4 and 6-8 are respectfully requested.

Claim 10 was rejected under 35 U.S.C. §102(b) over Patel.

Applicants respectfully traverse these rejections.

Independent claim 10 recites "retaining projections for the secure radial and axial retainment in the housing", where the retaining projections comprises "a retaining surface pointing opposite to a mounting direction".

In contrast, Patel requires a complex system of a flange and a precisely machined slot for rotation prevention and a separate set screw, mounted in a direction perpendicular to the mounting direction, for axial retention.

Accordingly, it is respectfully submitted that Patel does not disclose or suggest the combination recited by claim 10.

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) over Patel in view of U.S. Patent No. 5,057,730 to Yoshida (Yoshida).

Claims 11 and 12 depend from the aforementioned claim 10 and, therefore, are believed to be in condition for allowance for at least the reasons set forth above with respect to claim 10.

Furthermore, Yoshida is directed to a guide plate 8 for locating permanent magnets in a dynamic electric machine. See col. 1, lines 63-64. For that purpose, the guide plate 8 is provided with guide tabs 8b to guide the tie bolts 7 into holes 2b. The guide plate 8 also has a plurality of locating tabs 8c that project towards the end bracket 3 such that their ends abut substantially mid portions of end surfaces 4a of the permanent magnets 4. Therefore, when the permanent magnets 4 are bonded with adhesive 13 to the inner peripheral surface of the yoke 2, the end surfaces 4a of the magnets 4 are stopped by the locating tabs 8c so that the permanent magnets 4 are properly located. See col. 3, lines 9-31. Thus, Yoshida discloses a guide plate that aligns the permanent magnets by providing a correct centering and a separate adhesive that secures the magnets in the desired location.

It is respectfully submitted that the complex system of guide plates and adhesive of Yoshida, alone or in combination with the complex system of the flange and precisely machined slot and separate set screw of Patel do not disclose or suggest the simple retaining projections of claim 10.

Accordingly, reconsideration and withdrawal of the rejection to claims 10-12 are respectfully requested.

Claims 13-15 were rejected under 35 U.S.C. §103(a) over Patel in view of U.S. Patent No. 6,774,518 to Howe et al. (Howe).

It is respectfully submitted that substituting the plastic housing of Howe for the machined housing of Patel would not yield the invention of claim 13.

Claim 13 recites that "the plurality of retaining projections push into the soft material of the motor housing during mounting so that the plurality of retaining projections radially secure and axially retain the pole ring in the motor housing (emphasis added)." Thus, the claimed projections push into the soft material.

In contrast, Patel discloses a housing 30 that has slots 48 that are precisely machined to provide a minimal gap with the machined sides of flange 16. Thus, in Patel there is a gap between the housing and the flange. As such, use of the plastic housing of Howe with the flange and slot of Patel would still result in a gap between the flange and the plastic housing. Clearly, this gap would prevent the flange from pushing into the soft material of the housing as is recited by claim 13.

Accordingly, claim 13, as well as claims 14-15 that depend therefrom, are believed to be in condition for allowance.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

In the alternative, it is believed that the instant amendment places the present application in better condition for appeal. Accordingly, entry and consideration of the instant amendment are respectfully requested

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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